

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FTX TRADING LTD., *et al.*,¹

Debtors.

Chapter 11

Case No. 22-11068 (JTD)

(Jointly Administered)

CERTIFICATION OF COUNSEL

I, Kate Buck, an attorney with McCarter & English, LLP and counsel to Seth Melamed, hereby certify as follows to the best of my knowledge, information, and belief:

1. On June 30, 2023, Seth Melamed (“Melamed”) filed Claims 3244 and 4578 against FTX Japan Holdings K.K., Claim 3353 against Quoine Pte Ltd., and Claim 3385 against FTX Trading Ltd.

2. On July 10, 2024, the above-captioned debtors and debtors-in-possession (formerly, the “Debtors”) filed the *Debtors’ Objection to Proofs of Claim Filed By Seth Melamed* [D.I. 20051].

3. On August 16, 2024, Melamed filed the *Opposition to Debtors’ Objection to Proofs of Claim* [D.I. 23170].

4. On November 7, 2024, Melamed filed a *Request for Payment of Administrative Expense* [D.I. 27798] (together with Claims 3244, 4578, 3353, and 3385, the “Claims”).

5. On December 9, 2024, the Debtors filed the *Debtors’ Amended Objection to Proofs of Claim Filed by Seth Melamed and Motion for Subordination Pursuant to 11 U.S.C. §§*

¹ The last four digits of FTX Trading Ltd.’s and Alameda Research LLC’s tax identification numbers are 3288 and 4063, respectively. Due to the large number of debtor entities in these chapter 11 cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://cases.ra.kroll.com/FTX>.

510(b) and 510(c)(1) [D.I. 28643] (the “Amended Objection”).

6. On January 3, 2025, the Effective Date of the *Second Amended Joint Chapter 11 Plan of Reorganization of FTX Trading Ltd. and its Debtor Affiliates* [D.I. 26404-1] (the “Plan”) occurred [D.I. 29127].

7. On April 7, 2025, Melamed filed the *Opposition to Debtors’ Amended Objection to Proofs of Claim Filed by Seth Melamed and Motion for Subordination Pursuant to 11 U.S.C. §§ 510(b) and 510(c)(1) and Cross-Motion to Compel Arbitration* [D.I. 30077].

8. On May 7, 2025, the Trust filed the *FTX Recovery Trust’s Reply in Support of Debtors’ Amended Objection to Proofs of Claim Filed by Seth Melamed and Motion for Subordination and Opposition to Claimant’s Cross-Motion to Compel Arbitration* [D.I. 30364].

9. On May 14, 2025, the Court held a scheduling conference to discuss staging of proceedings on Melamed’s Claims. At that conference, the Court scheduled oral argument for June 25, 2025 on three threshold issues (the “Threshold Issues”).

10. On June 18, 2025, Melamed filed the *Reply in Support of Melamed’s Cross- Motion to Compel Arbitration* [D.I. 30900].

11. On June 25, 2025, the Court heard oral argument on the Threshold Issues.

12. On July 22, 2025, the Court issued a ruling on the Threshold Issues from the bench and requested that the parties submit a form of order memorializing that ruling within one week of the July 22, 2025 hearing.

13. In accordance with the Court’s instructions, the parties, by and through their respective counsel, conferred regarding proposed forms of orders, but were unable to agree as to the order regarding the cross-motion.

14. In light of the deadline set by the Court, the Trust submitted its proposed forms of

order around 11:30 pm on July 29, 2025.

15. Undersigned counsel was not included in the relevant communications and therefore only became aware this morning that no agreement had been reached regarding the claims order and that a competing order would need to be submitted for Melamed. Accordingly, Melamed has prepared the *Order Sustaining in Part Debtors' Amended Objection to Proofs of Claim Filed by Seth Melamed*, ("Melamed's Proposed Claim Order") which is attached hereto as **Exhibit A**.

16. Melamed respectfully requests that the Court enter Melamed's Proposed Claim Order at its earliest convenience. Melamed believes that Melamed's Proposed Claim Order accurately memorializes the Court's July 22, 2025 ruling. The Trust has not consented to entry of Melamed's Proposed Claim Order.

17. Melamed consents to entry of the Trust's proposed *Order Granting in Part and Denying in Part Cross-Motion of Seth Melamed Seeking to Compel Arbitration of The Claims*, which was attached to the Trust's Certification of Counsel as Exhibit B.

18. In accordance with the Court's electronic order processing procedures, a copy of Melamed's Proposed Claim Order shall be uploaded to CM/ECF.

McCARTER & ENGLISH, LLP

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Dated: July 30, 2025
Wilmington, Delaware